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by Deschamps as an essential part of the "colonial question". It displays decided limitations in the treatment of events in the colonies, such as the revolt of the mulattoes in St. Domingo under Ogé, which though small and unsuccessful certainly had an important influence. Likewise the treatment of the assembly of Saint Marc (ch. III.) shows some rather careless workmanship. A comparison of the summary (p. 61) of the "Constitutional Bases" issued by that assembly with the text of them published by Castonnet des Fosses (*La Perte d'une Colonie*, p. 57) will reveal not only some awkward translation but even inaccurate and misleading statements of fact. Also, I am very curious to know the authority for the statement that the word *acceptation* as used in the "Bases" "precluded the possibility of a refusal" of them by the king and the National Assembly. The principles of the "Bases" do not appear quite so extremely radical and arrogant as the author represents them, as will be evident from a comparison of them with the "instructions" of March 28 (p. 54) and with the principles finally adopted by the Constituent Assembly (p. 132). In spite of its crudeness and limitations the Assembly of Saint Marc proposed an extremely interesting solution of the colonial problem, comparable in statesmanship to those offered by the Stamp Act Congress and the Congress of 1774 in our own revolutionary movement.

It is rather surprising to find Professor Garrett treating the work of Deschamps in such a summary fashion as he does in his bibliography. He there dismisses it with the remark that it is "full of typographical errors, inaccurate statistics and misstatements of fact". Now Deschamps (*Les Colonies pendant la Révolution: la Constituante et la Réforme Coloniale*) covers the identical ground covered by Professor Garrett, although in less detail, because he has treated the "colonial question" in a more comprehensive way. His work has enjoyed a good reputation. It would seem therefore to be incumbent upon the author to have indicated in his foot-notes at least some important facts to justify his comment upon such a comparatively recent writer in the same field. He has cited Deschamps only four times and in each case as an authority. However inaccurate in details it might prove under critical analysis, yet there is a breadth of view in Deschamps's book which makes it valuable and delightful.

STEWART L. MIMS.

Lord Stowell: his Life and the Development of English Prize Law.

By E. S. ROSCOE, Registrar of the Prize Court of Great Britain and Ireland. (Boston and New York: Houghton Mifflin Company. 1916. Pp. 116. \$1.50.)

STOWELL'S biographies are out of print, men remember him as Eldon's brother, prize law is of but sporadic importance, and admiralty is a neglected mystery to lawyers and laymen who dwell away from deep water.

To the Registrar of the Admiralty, custodian of the court's traditions, and versed in its peculiar learning, such ignorance of the greatest name in its annals is distasteful, and now that the carriage of goods by sea is as dangerous as in the day of Stowell (and Napoleon), Mr. Roscoe has written an "impression" of William Scott "as a man", and a proof that his "individual, important and permanent" labors answer modern requirements.

It is high distinction that any man's intellectual work endures for a century, yet in our day of steam, electricity, and international credits, Stowell's law, formulated for sailing ships that disappeared from knowledge on every voyage, has proven wholly applicable. His successors have done little more than indicate the legal identity of phenomena a century apart and differing in every external. Thus bottomry and respondentia have disappeared, but Stowell's treatment of these liens upon captures has disposed of claims based on hypothecated bills of lading securing bankers' drafts.

Such logical victories appeal especially to the bar, and the book is primarily for lawyers. But no other volume has clearly shown the reasons for Stowell's unique influence in prize. He was no mere practitioner, office bred and sharpened by immature advocacy; but a ripe scholar, a teacher of history, a sound common lawyer, a thorough civilian, an astute politician, and something of a courtier. Many judges had presided over the English Admiralty, but he was the first to set forth the grounds of judgment in ordered sequence, and to make his "sentences" a body of "case law"—the method of legal formulation still most acceptable; he was perhaps the first able to do this, as he certainly was the first with business enough to give scope to ability.

The author admits that the *corpus juris* reasoned out by Stowell inclined against the neutral and favored belligerents. Bitterly did contemporary America complain of this; but there is scarcely an anti-neutral decision that has not been drastically applied in our courts. The book might have illustrated this more fully, for it is high tribute to the Englishman's mental power that when Americans warred they adopted the rules once so cordially abused.

A judge writes to be quoted, and Stowell's quotability might have received ampler treatment. Phrases such as the "cobweb title" that does not divest jurisdiction in possession, and the resounding sentence that a mariner's wage lien is "sacred as long as a plank" remains of his vessel, have kept Stowell in the mouths of counsel.

Mr. Roscoe easily shows the judge's importance and modernity; "as a man", there was temptation to special pleading. Yet the book fairly pictures the worldly man, "pleasant" to Sir Walter Scott, Dr. Johnson's companion and executor—but no man's hearty friend. An intelligent selfishness, not unmixed with parsimony, forbade any commitment not easily broken without open reproach.

The volume pretends to nothing new, except to fit Stowell into our

century; that point is fully proved; for the rest it is an attractive summary of the enduring work of a well-bred, selfish, highly educated, and slightly miserly gentleman.

CHARLES M. HOUGH.

Three Peace Congresses of the Nineteenth Century. By CHARLES DOWNER HAZEN, WILLIAM ROSCOE THAYER, ROBERT HOWARD LORD. *Claimants to Constantinople.* By ARCHIBALD CARY COOLIDGE. (Cambridge: Harvard University Press. 1917. Pp. v, 93. \$75.)

FOUR of the most timely papers read at the Cincinnati meeting of the American Historical Association have here been collected and delightfully published, with a prefatory note by Professor H. E. Bourne, under the imprint of the Harvard University Press. The papers, because of their pertinency to the present war and its issue and also because of the well-recognized competency of their authors, should now be read with pleasure and profit by a wide circle.

Messrs. Hazen, Thayer, and Lord, in dealing respectively with the Congresses of Vienna, Paris, and Berlin, have not bored us with repetitious discussion of the detailed problems that came before the assembled diplomatists or of the merits of the solutions reached. Rather, they have all conformed admirably to the dictum laid down by Mr. Hazen that he would content himself with describing "the manner in which the Congress approached its problems, the way in which it handled its business, its mode of organization, its methods of work, the machinery it employed in the discharge of its highly complicated task". To many it will seem a pity that the authors have not broadened the scope of their papers sufficiently to admit of some indication of the hopes and aspirations voiced in the press and popularly entertained immediately before, and during, the several congresses. Such hopes and aspirations—even prior semi-official pronouncements of the governments concerned—have so often been at variance with the treaty achievements, that a frank recognition of this fact might go far to restrain undue optimism about the millennium's being ushered in by the congress which will terminate the present war. With the exception of Mr. Lord's passing reference to the petitions of representatives of the Alliance Israélite and of the Peace Society to the Congress of Berlin, the congresses are considered as jousting matches for brightly caparisoned (though not over-chivalrous) noble diplomatists, never as dickerings of cabals unrepresentative of their fellow nationals in social position, in manners, in purpose, and in "interests". Perhaps the authors have done wisely to exclude consideration of contemporaneous public opinion of the congresses, for otherwise their studies would have been expanded to much larger dimensions, would have lacked unity, and would have engulfed the "gentle reader" in a most desperately abysmal slough of pessimism.

As it is, the effect of the hour's perusal of the three papers is to